

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

ROLF ERIK CARLSON,

Plaintiff,

v.

Civ. No. 17-784 RB/GJF

UNITED STATES DEPARTMENT OF ENERGY,

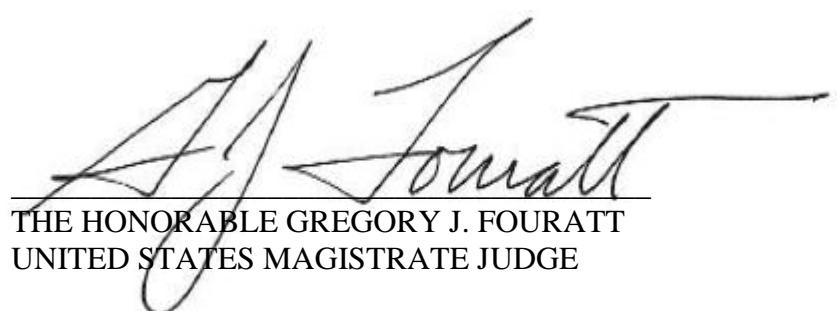
Defendant.

**ORDER COMMENCING DISCOVERY**

On March 8, 2018, the Court filed an “Order Setting Pretrial Deadlines and Briefing Schedule” (“Order”). ECF No. 20. In pertinent part, the Order provided for “a 120-day discovery period to commence upon either of two events: (1) the denial by the presiding judge of the United States’ motion to dismiss; or (2) the filing by Plaintiff of an amended complaint that withstands any further motion(s) to dismiss.” *Id.* at 1. On October 26, 2018, the Honorable Robert C. Brack issued an order [ECF No. 42], denying in part the United States’ Motion to Dismiss [ECF No. 22] and concluding that a single claim in the operative version of Plaintiff’s complaint can go forward.

Consequently, per this Court’s previous Order, the parties are re-advised that the 120-day discovery period commenced on October 26, 2018, the filing date of Judge Brack’s order.

**IT IS SO ORDERED.**



THE HONORABLE GREGORY J. FOURATT  
UNITED STATES MAGISTRATE JUDGE